

## FARMINGTON CITY PLANNING COMMISSION MEETING

December 9, 2010

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### **PLANNING COMMISSION STUDY/WORK SESSION**

***Present:** Chairman Jim Young, Vice Chairman Randy Hillier, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, and Michael Wagstaff, Alternate Commission Member Michael Nilson, City Manager Dave Millheim, City Planner David Petersen, and Recording Secretary Cynthia DeCoursey. Alternate Commission Member Brett Anderson was excused.*

**Chairman Young** began the work session at 6:35 p.m., and the following items were reviewed:

- **Possible use for the old Kmart Building** – **David Petersen** informed the Commission that **John Asay** and **Chris Roybal** attended the City Council work session to introduce a proposal for the old K-mart building. Their suggestion is to use the rear portion of the 70,000 square foot building for climate-controlled storage and the front portion for retail stores or professional services.
- **Training Course by URMMA** – **Dave Millheim** said he would like City employees and the City Council and Planning Commission to attend a training course sponsored by URMMA which will be scheduled in early 2011.

#### **(Agenda Item #3) – CenterCal Properties – (Public Hearing) – Applicant is requesting approval of a Preliminary Plat as well as a recommendation for a Final Plat for a subdivision within the Station Park commercial project. (S-11-10)**

**Craig Trottier** from CenterCal said that Harmons, Chase Bank, and several other anchor tenants would like to purchase the property on which their buildings are located. It is something that is commonly done in commercial projects. **David Petersen** reported several concerns:

- Lots 2 and 4 abut a private street, and the City Code specifies that each building lot is required to abut a public street;
- Standards and maintenance of the private street;
- Adequate access for emergency vehicles;
- Building code issues.

#### **(Agenda Item #4) – Deno Kambouris – (Public Hearing) – Applicant is requesting a recommendation of approval of a previously recorded flag lot subdivision at approximately 1470 South 250 East. (S-10-10)**

**Mr. Petersen** explained some of the history of this property and said the **Kambouris** family created four lots on the east side of 200 East in south Farmington, without the knowledge of Farmington City, and two of the four lots were flag lots. The City issued building permits for the two regular lots, and a property owner combined the northerly flag lot with the regular lot. **Mr. Kambouris** is now requesting a building permit to build a single family home on the vacant flag lot,

most of which is zoned Agriculture. The property must be rezoned to accommodate for the smaller lot size, and because the lot size will be less than 20,000 square feet, a waiver of conservation subdivision standards must be obtained from the City Council. Commission members discussed the following suggestions/issues related to this request:

- Driveway is too narrow—possible remedy is to use part of the Stagg’s driveway;
- **Mr. Kambouris** is aware of the required waiver;
- The possibility of having the house face east with the rear yard located on the west side;
- At some point in the future, there may be a street to the east of the subject property;
- Neighbors are concerned that this will lower the value of their property;
- One neighbor is concerned about the noise and the proximity of the driveway to his home;
- There are currently no public improvements.

**(Agenda Item #5) – Deno Kambouris – (Public Hearing) – Applicant is requesting a recommendation of approval for a zone change on property located at approximately 1470 South 200 East from A (Agricultural) to LR (Large Residential). (Z-3-10)**

**Mr. Petersen** explained that because of the City’s bylaws, Agenda Item #5 needs to be approved prior to Agenda Item #4, and Staff is recommending approval of the zone change request.

**PLANNING COMMISSION REGULAR SESSION**

***Present:** Chairman Jim Young, Vice Chairman Randy Hillier, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, and Michael Wagstaff, Alternate Commission Member Michael Nilson, City Manager Dave Millheim, City Planner David Petersen, and Recording Secretary Cynthia DeCoursey. Alternate Commission Member Brett Anderson was excused.*

**Chairman Young** opened the regular session at 7:15 p.m. and offered an opening prayer. He welcomed Farmington’s new City Manager, **Dave Millheim**, to the meeting.

**Approval of Minutes – (Agenda Item #1)**

**Motion**

**Rick Draper** made a motion to approve the minutes of the November 10, 2010 Planning Commission meeting. The motion was seconded by **Nelsen Michaelson** and approved by Commissioners **Hillier, Draper, Michaelson, Wagstaff**, and **Nilson**. **Steven Andersen** abstained because he was absent.

**City Council Report – (Agenda Item #2)**

**David Petersen** reported on the two previous City Council meetings:

**November 16, 2010:**

- UDOT officials presented information regarding the West Davis Corridor EIS Study.

- **Brad Pack's** request for a schematic plan for Doberman Subdivision at approximately 453 West Glover Lane in west Farmington was approved by the Council.
- The Council reconsidered an Ordinance that renamed a portion of Burke Lane to Station Parkway and reversed their previous decision. The street will remain Burke Lane until further development occurs.
- An Interlocal Agreement with Davis County to conduct an LOMR study for the Steed Creek Flood Plain was approved.

#### **December 7, 2010:**

- **Ken Klinker** discussed his proposal for the Farmington City Storm Water Management Program. The Council tabled the item to allow further work by City staff.
- The Council reviewed an Interlocal Agreement with Davis County which deals with issues related to the new County Campus—water lines, lighting, storm drainage, and the rebuilding of Main Street.

#### **Motion**

**Michael Wagstaff** made a motion to amend the agenda and move Agenda Item #5 to be heard prior to Agenda Item #4. **Steven Andersen** seconded the motion which was unanimously approved.

#### **CenterCal Properties – (Public Hearing) – Applicant is requesting approval of a Preliminary Plat as well as a recommendation for a Final Plat for a subdivision within the Station Park commercial project. (S-11-10) (Agenda Item #3)** **Background Information**

CenterCal would like to subdivide some of the property in its Station Park commercial project. This will allow some of the tenants to own the property on which their business is set; the other tenants will lease the property from CenterCal. This proposal is for 13 lots, and Staff is recommending approval.

#### **Public Hearing**

**Chairman Young** opened the Public Hearing at 7:20 p.m. There was no one to speak and it was closed at 7:20 p.m.

#### **Motion**

**Steve Andersen** made a motion that the Planning Commission approve the Station Park Subdivision Preliminary Plat on property located within the Station Park commercial development at approximately 1000 West Clark Lane, and further move that the Planning Commission recommend approval of the Final Plat for the Station Park Subdivision on the same property with the following conditions and findings:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to a Preliminary and Final Plat.

2. Applicant must receive approval of the Final Plat from the City Council and amend any necessary Development Agreement, if applicable, to record the proposed subdivision.
3. The applicant continues to work with the City's building department to ensure all building codes are met with regard to building setbacks and safety standards.
4. The applicant must provide and record reciprocal access easements and parking easements to each lot and use within the development.

The motion was seconded by **Michael Wagstaff** and was unanimously approved.

### **Findings for Approval:**

1. The proposed subdivision will not affect the overall site plan of the Station Park commercial development;
2. The subdividing of the real property within the Station Park commercial development will allow the developer to sell or lease property within the development to accommodate the future tenants of the project regarding tax and finance purposes;
3. Reciprocal access easements will be recorded against the property ensuring adequate access and parking for each lot and user.
4. Station Park is primarily a commercial project and not a residential development, and it is not uncommon for "land locked" lots to exist within such a development so long as they are guaranteed access.
5. Lots 2 and 4 front a private street, Central Avenue, along the east boundary of Lot 4 and the west boundary of Lot 2.
6. The subdivision allows the developer to phase the construction of the project.
7. The building code issues have been resolved enabling zero lot line (or no setbacks) development within the project. Moreover, a platted subdivision will administratively allow for an easier process for issuing building permits.

**Deno Kambouris – (Public Hearing) – Applicant is requesting a recommendation of approval for a zone change on property located at approximately 1470 South 200 East from A (Agricultural) to LR (Large Residential). (Z-3-10) (Agenda Item #5)**

### **Background Information**

**David Petersen** discussed some of the history of the subject property and said this piece is a remnant strip which was included in an agricultural zone many years ago. The request is consistent with the City's General Plan and will match the current LR zoning of the surrounding properties.

### **Public Hearing**

**Chairman Young** opened the public hearing at 7:30 p.m.

**Steven Franey** said he owns the duplex at 1465 South 200 East, located just south of the subject property. He is concerned because the proposed driveway would be within 16 feet of his bedroom window. He would prefer to leave the zoning as agricultural.

**Deno Kambouris**, 3835 South Arroyo Road, Salt Lake City, said he has tried numerous times to negotiate with **Mr. Franey** who has not been willing to negotiate. He plans to pay for his share of the public improvements.

**Carol Welninski**, 166 East 1420 South, expressed concern regarding the request for rezoning and how it may affect her property tax rates. She is not in favor of allowing additional home.

**Mr. Petersen** said the request is consistent with the City's general plan, and the change from agricultural to low-density residential will not affect the property tax rates in the area.

The Public Hearing was closed at 7:45 p.m.

### **Motion**

**Michael Wagstaff** made a motion to recommend that the City Council rezone the property located at approximately 1470 South 200 East from A (Agricultural) to LR (Large Residential) with the following findings. **Rick Draper** seconded the motion, and Commissioners **Andersen, Draper, Michaelson, Wagstaff**, and **Nilson** approved the motion. **Randy Hiller** abstained because he is acquainted with one of the involved parties.

### **Findings for Approval:**

The rezone request is consistent with:

1. The Low Density Residential (LDR) designation set forth in the General Plan;
2. The LR-F zone designation of adjacent property; and
3. Similar past rezone actions of the City along the old highway.

### **Deno Kambouris – (Public Hearing) – Applicant is requesting a recommendation of approval of a previously recorded flag lot subdivision at approximately 1470 South 250 East. (S-10-10) (Agenda Item #4)**

The Planning Commission discussed many of the same issues which were brought up in the work session including the location and size of the driveway, the front and side yard setback requirements, the location and placement of the proposed home, the requirement to install public improvements, and the situation of the property owners to the north of the subject property.

### **Public Hearing**

**Chairman Young** opened the Public Hearing at 8:00 p.m.

**Nicholas Kambouris**, son of **Deno Kambouris**, said he feels that the proposed lot is large enough to accommodate a nice home and locate it whichever way the property owner prefers.

City Manager **Dave Millheim** suggested that it may be a good idea to table this item and allow the three parties and City staff to discuss the issues in detail and agree on a resolution. He stressed that the past cannot be changed and advised the property owners to negotiate and solve the problems.

The Public Hearing was closed at 8:20 p.m.

### **Motion**

**Steven Andersen** made a motion to table the proposal. The motion was seconded by **Nelsen Michaelson** and approved by **Andersen, Draper, Michaelson, Wagstaff, and Nilson**. **Randy Hillier** abstained because he works with one of the parties.

### **Miscellaneous**

#### **1. Chair and Co-Chair Elections**

### **Motion**

**Steven Andersen** made a motion to appoint **Randy Hillier** as Chairman of the Planning Commission for 2011 and to appoint **Jim Young** as Vice Chairman. **Rick Draper** seconded the motion, and it was approved by Commission Members **Hillier, Andersen, Draper, Michaelson, Wagstaff, and Nilson**.

#### **2. Approval of 2011 Calendar**

### **Motion**

**Nelsen Michaelson** made a motion to approve the dates for Planning Commission meetings listed on the 2011 Calendar with one change: The December 15<sup>th</sup> meeting will be held on December 8<sup>th</sup>. The motion was seconded by **Michael Wagstaff** and approved by Commissioners **Hillier, Andersen, Draper, Michaelson, Wagstaff, and Nilson**.

#### **3. Board of Adjustments Representative**

The Commission appointed **Nelsen Michaelson** to serve as the Planning Commission representative for the Board of Adjustments.

### **ADJOURNMENT**

### **Motion**

**Michael Wagstaff** made a motion to adjourn the meeting which was seconded by **Michael Nilson** and approved by Commissioners **Hillier, Andersen, Draper, Michaelson, Wagstaff, and Nilson**. The meeting was adjourned at 8:40 p.m.

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**Jim Young, Chairman**  
**Farmington City Planning Commission**